

(All parties and counsel listed on Signature Page)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TAKEDA PHARMACEUTICAL CO., LTD.,
TAKEDA PHARMACEUTICALS NORTH
AMERICA, INC., TAKEDA
PHARMACEUTICALS LLC, AND TAKEDA
PHARMACEUTICALS AMERICA, INC.,

Plaintiffs,

v.

HANDA PHARMACEUTICALS, LLC,

Defendant.

Case No. 3:11-cv-00840 JCS

**STIPULATION TO CORRECT THE
COURT'S CLAIM CONSTRUCTION
ORDER DUE TO A TRANSCRIPTION
ERROR**

Judge: Hon. Joseph C. Spero

TAKEDA PHARMACEUTICAL CO., LTD.,
TAKEDA PHARMACEUTICALS NORTH
AMERICA, INC., TAKEDA
PHARMACEUTICALS LLC, AND TAKEDA
PHARMACEUTICALS AMERICA, INC.,

Plaintiffs,

v.

ANCHEN PHARMACEUTICALS, INC. AND
TWI PHARMACEUTICALS, INC.,

Defendant.

Case No. 3:11-cv-01609-JCS

TAKEDA PHARMACEUTICAL CO., LTD.,
TAKEDA PHARMACEUTICALS NORTH
AMERICA, INC., TAKEDA
PHARMACEUTICALS LLC, AND TAKEDA
PHARMACEUTICALS AMERICA, INC.,

Plaintiffs,

v.

IMPAX LABORATORIES, INC.,

Defendant.

Case No. 3:11-cv-01610-JCS

WHEREAS, the Court issued a claim construction order on April 11, 2012 (“*Markman* Order,” Case No. 3:11-cv-00840, D.E. 106; Case No. 3:11-cv-01609, D.E. 81; Case No. 3:11-cv-01610, D.E. 95);

WHEREAS, in its *Markman* Order the Court construed the term “soluble in the pH range of no less than 6.5 to no more than 7.0,” found in claim 7 of U.S. Patent No. 7,790,755 (“the ’755 Patent”), to mean “begins to dissolve in the gastrointestinal tract at pH values within the range from 6.0 to 7.5” (*Markman* Order at 71);

WHEREAS, this construction appears to have been the result of a transcriptional error; and

WHEREAS, the Court appears to have instead intended for the term “soluble in the pH range of no less than 6.5 to no more than 7.0” to mean “begins to dissolve at pH values within the range from 6.5 to 7.0”;

The parties, by their undersigned attorneys, hereby stipulate, subject to the approval of the Court, that the *Markman* Order should be corrected to reflect that the term “soluble in the pH range of no less than 6.5 to no more than 7.0” means “begins to dissolve at pH values within the range from 6.5 to 7.0”;

The parties, by their undersigned attorneys, further stipulate that this stipulation is entered into solely for the purpose of correcting what appears to have been a transcriptional error in the *Markman* Order and that nothing herein shall be construed as a waiver of the parties’ respective positions with respect to claim construction.

Respectfully submitted,

DATED: May 30, 2012

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Filer's Attestation

I, Mark Jansen, am the ECF user whose identification and password are being used to file this **STIPULATION TO CORRECT THE COURT'S CLAIM CONSTRUCTION ORDER DUE TO A TRANSCRIPTION ERROR**. In compliance with General Order 45.X.B., I hereby attest that the other above-named signatories concur in this filing.

DATED: May 30, 2012

/s/ Mark T. Jansen

Dated: May 31, 2012

